

recording medium. Claim 6 further calls for a time code method selection and recording circuit for selecting a time code count from the plurality of time code counts generated by the time code generator circuit, and for recording the selected time code count on the recording medium in response to the second controlling signal from the control circuit.

Claim 12 requires elements similar to the above independent claims. Namely, claim 12 requires, in part, a recording medium processing means for, among other things, recording both the first time code count and the second time code count from the time code generating means on the recording medium, as well as a time code selection means for selecting a time code counting method from among the first time code counting method and the second time code counting method based on the second control signal from the control means.

Finally, claim 14 is a method of recording video signals at a plurality of frame rates which requires, in part, a step of recording the plurality of time code counts on the recording medium.

These features of the pending claims, specifically the feature of simultaneously recording a plurality of time codes together with the selected frame rate are not taught or suggested by *Suzuki* or *Okauchi*, either alone or in combination. In this regard, the Examiner admits that *Suzuki* does not disclose means for recording a first time code stepped in a non-drop frame format and a second time code stepped in a drop frame format on the recording medium together with the selected recording frame rate. Accordingly, the Examiner relies on the teaching of *Okauchi* to remedy the deficiencies of *Suzuki*. However, the Examiner evidently misconstrues *Okauchi*. *Okauchi*, like *Suzuki*, does not disclose means for recording a first time code stepped in a non-drop frame format and a second time code stepped in a drop frame format on the recording medium together with the selected recording frame rate.

The Examiner asserts that *Okauchi* discloses means for recording a first time code stepped in a non-drop frame format and a second time code stepped in a drop frame format on the recording medium together with the selected recording frame rate at column 5, lines 8-66. This assertion is incorrect. In this respect, at lines 9-14 *Okauchi* clearly teaches the use of a manual switch to control a drop-frame/non-drop-frame switching signal. The drop-frame/non-drop-frame switching signal "assumes one of a H (high level) and L (low level) by selection through" the manual switch. Thus, the user can select only one of the drop frame mode and the non-drop frame mode (i.e., one format or the other based on the high or low value of the drop-

frame/non-drop-frame switching signal), but not both as required by the claimed invention.

As described above, *Okauchi* discloses two different time code modes, each of which only records one type of time-code together with the selected frame rate. Nowhere does *Okauchi* disclose recording a first time code and a second time code together with the selected recording frame rate. Thus, even if one of ordinary skill in the art would have been motivated to combine the teachings of *Suzuki* and *Okauchi* as suggested by the Examiner (a point not conceded by the Applicant), the result nonetheless fails to teach or suggest the claimed invention as a whole. Accordingly, the Examiner has failed to establish a *prima facie* case of obviousness and an claims 1-14 must be allowed.

The Examiner responds to Applicant's previous arguments by reproducing column 3, lines 4-60 of *Okauchi*. The Examiner asserts that this passage of *Okauchi* discloses that two types of frame rates are recorded along with the selected frame rate on the video tape. This assertion is incorrect. The passage cited by the Examiner merely describes how the recording system is able to identify which time code mode is selected. In this regard, the recording system formats data to be recorded and uses 8 to 10 dummy bits to identify the time code mode. When the non-drop frame mode is selected, the initial bit of the dummy bits is "0" which tells the system not to correct for time-deviation. When the drop-frame mode is selected, the dummy bits are reduced to 8 bits and the initial bit of the dummy bits is "1" which tells the system to correct for time-deviation by "dropping" certain frames. Accordingly, the dummy bits are used to identify which time code mode was selected before recording the video signal. Thus, *Okauchi* discloses that only one time code, corresponding to the selected time code mode, is recorded together with the selected frame rate on the recording medium.

The Examiner further asserts that, for the sake of argument, even if:

*Okauchi* does not disclose the capability of recording both drop-frame and non-drop-frame coded pulses along with the selected recording frame rate, the user can operate the manual switch discloses (sic) in col. 5, lines 9-14 of *Okauchi* to record both drop-frame and non-drop frame coded pulses together with the selected recording frame rate.

Applicant respectfully submits that *Okauchi* does not teach or suggest that the user repeatedly switch the time code mode as suggested by the Examiner. Furthermore, even if the user were to operate the switch as suggested by the Examiner, only one time code would be recorded along with the selected recording frame rate, that is, only one type of time code corresponding to the

selected time code mode is recorded at any given time. Moreover, if the user were to operate the switch as suggested by the Examiner, a nonsensical result would be produced. The time code would fluctuate over the course of the recorded video signal, but the frame rate would stay the same. Thus, the video signal would not be able to be accurately reproduced. For these reasons, Applicant respectfully submits that the Examiner's suggestion is not supported by *Okauchi* nor is it feasible to one of ordinary skill in the art.

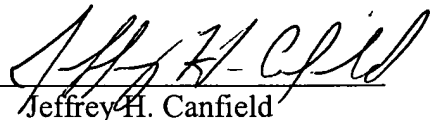
Applicant therefore submits that all of the pending claims are in condition for allowance and requests that the Examiner allow the application to issue. However, if there are any remaining issues the Examiner is encourage to call Applicant's attorney, Jeffrey H. Canfield at (312) 807-4233 in order to facilitate a speedy disposition of the present case.

If any additional fees are required in connection with this response they may be charged to deposit account no. 02-1818.

Respectfully submitted,

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